



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

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U.S. DEPT. OF ENERGY
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Ref: 8WM-WQ

Tim Carey
Corps of Engineers
Denver Regulatory Office
9307 State Highway 121
Littleton, CO 80123-6901

Re: Review of Proposed Activities at
the Rocky Flats Superfund Site in
Colorado

Dear Mr. Carey:

On November 30, 1992, Richard J. Schassburger of the Department of Energy sent you a letter requesting information from you concerning the correct procedure for authorization pursuant to Section 404 of the Clean Water Act. EPA received, via telefax transmission from DOE, a copy of this letter and the referenced original correspondence.

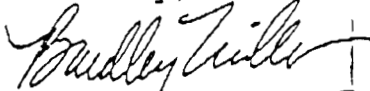
We have reviewed the proposed work described in the letter from DOE and we have reviewed the plans for CERCLA remedial studies and actions at the plant. After review of these data, we have determined the following surface water monitoring stations are actions included in the remedial studies required by CERCLA: Stations 001, 002, 023, 029, 107, and 127. Consequently, these projects will require authorization by the EPA's Waste Management Division through the authority of CERCLA. The remaining surface water monitoring station (004) and the other proposed activities require authorization by the Corps of Engineers.

For EPA to authorize these CERCLA projects, compliance with the substantive requirements of applicable regulations and requirements is required. A determination of compliance requires the implementation of mitigation to offset environmental impacts of the proposed work. In an effort to offset the impacts to the environmental resources of the area, to remain consistent with the requirements imposed by EPA in the past, and for consistency with the anticipated requirements for authorization of the work required at Stations 001, 002, 023, 029, 107, and 127; EPA requests the Corps of Engineers take the necessary steps to require appropriate mitigation for impacts to wetlands and other waters of the United States associated with DOE implementation of the non-CERCLA projects.

EPA would, of course, be willing to participate in discussions with the Corps and the applicant to insure appropriate mitigation is developed for impacts relating to these non-CERCLA projects. If our participation would be beneficial, please contact me at 293-1583. If you have any questions concerning the information in this letter or if any additional information would benefit the Corps, please notify me.

We look forward to working with the Corps to insure timely authorization of activities at the Rocky Flats Superfund Site and to protect the environment.

Sincerely,



Bradley Miller
Physical Scientist
Wetland Protection Section
Water Management Division

cc: Bonnie LaVelle, EPA
Trish Powell, DOE